

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

TYLER DIVISION

BLUE SPIKE, LLC,

Plaintiff,

v.

TEXAS INSTRUMENTS, INC.,

Defendant.

§
§
§
§
§
§
§
§
§

Civil Action No.: 6:12-CV-499
(Consolidated from 6:12-CV-564)

**DECLARATION OF JEREMY HELFAND IN SUPPORT OF DEFENDANT ADOBE
SYSTEMS INCORPORATED'S REPLY IN SUPPORT OF ITS MOTION TO
TRANSFER VENUE**

Pursuant to 28 U.S.C. § 1746, and under penalty of perjury under the laws of the United States of America, I declare that the following statements are true to the best of my knowledge, formed after reasonable inquiry under the circumstances:

1. I began working at Adobe in October, 2011, and am currently Adobe's Vice President of Advertising Technology for Adobe Systems Incorporated ("Adobe"). Adobe is a Delaware corporation with its headquarters and principal place of business in San Jose, California.
2. I reaffirm my earlier declaration of August 5, 2013 in this case.
3. Lily Teng was Auditudo Inc.'s Vice President of Finance and Administration. In that capacity, Ms. Teng was responsible for the financial and administration organization of Auditudo and is knowledgeable about Auditudo's historical profits, revenue, and costs. To the best of my knowledge, she currently lives in the San Francisco Bay Area in California.

4. Mark Gaffney was Auditute Inc.'s Chief Revenue Officer. In that capacity, Mr. Gaffney was responsible for growing Auditute's customer base and advertising partners, and he is knowledgeable about Auditute's historical sales and marketing efforts. Mr. Gaffney currently resides in Orange County, California.

5. Sergiy Bilobrov was Auditute Inc.'s Chief Scientist. In that capacity, Mr. Bilobrov developed the algorithms used in Auditute's digital fingerprinting technology and as a result, is knowledgeable about the technical aspects and development of that technology. To the best of my knowledge, Mr. Bilobrov currently lives in the San Francisco Bay Area in California.

6. To clarify the statements in my prior declaration [Dkt. 905-2], my statements concerning Adam Cahan, the former CEO of Auditute, concerning his current position with Yahoo! and residence in the San Francisco Bay Area are based on my personal knowledge.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 20 day of sept, 2013, in los angeles, CA.



Digitally signed by jhelfand
DN: o=Adobe Systems Incorporated, ou=Device
Authentication, ou=jhelfand-MacBookAir
(2/26/2013 4:30:51 PM), cn=jhelfand
Date: 2013.09.20 13:36:17 -05'00'

JEREMY HELFAND